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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/991,478 | 11/09/2001 | Paul Mueller | CH2M.07 | 3164 |

25871 7590 12/08/2003
SWANSON & BRATSCHUN L.L.C.
1745 SHEA CENTER DRIVE
SUITE 330
HIGHLANDS RANCH, CO 80129

EXAMINER

FORTUNA, ANA M

| ART UNIT | PAPER NUMBER |
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1723

DATE MAILED: 12/08/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.



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|---------------------------------|-------------|---|---------------------|
| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

09/991,478

EXAMINER

A. FORTUNA

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| ART UNIT | PAPER |
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1723

20031203

DATE MAILED:

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Commissioner for Patents

Attached there is a correct copy of form PTOL-37, as requested on 8/29/03. the formal drawings have also been received on 8/08/03, and reviewed by the Draftrman.

Ana M Fortuna
Primary Examiner
Art Unit: 1723

Notice of Allowability

Application No.

09/991,478

Examiner

Ana M Fortuna

Applicant(s)

MUELLER ET AL.

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to 8/29/03.
2. ☒ The allowed claim(s) is/are 1-3, 5-12, 14 and 16-23, now renumbered as claims 1-20.
3. ☒ The drawings filed on 08 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <input type="checkbox"/> Notice of References Cited (PTO-892) | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | <input type="checkbox"/> Examiner's Amendment/Comment |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | <input type="checkbox"/> Other |

Application Number

Application No.

09/991,478

Examiner

Ana M Fortuna

Applicant(s)

MUELLER ET AL.

Art Unit

1723

Notic of Allowability

Application No.

09/991,478

Examiner

Ana M Fortuna

Applicant(s)

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1. ☐ This communication is responsive to 5/08/03.
2. ☐ The allowed claim(s) is/are 1-3, 5-13, 14, and 16-23, now renumbered as claims 1-20.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
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 - a) ☐ All b) ☐ Some* c) ☐ None of the:
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Attachment(s)

- | | |
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| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. <u>10</u> | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Reasons for allowance


1. The following is an examiner's statement of reasons for allowance: claims 1-3, 5-12, 14, and 16-23 are allowed. The prior art of record fails to teach or suggest the processes including the regeneration of the resin in the membrane process tank containing the membrane, or the separation of resin using a high gradient magnetic filter, or the apparatus adapted for performing the resin treatment and separation, as claimed in claims 1, 5, 10, and dependent claims. The prior art of record teaches removing organic from water by treating with magnetic resin in combination with membrane previous to the membrane treatment or simultaneously, providing the membrane within the tank containing the resin and regenerating the resin within the tank is not suggested (AU 199534657 B2). Article "Removal of natural Organic matter-a fresh approach" teaches combining magnetic resin and immersed membrane, this article has a publication date of 2002, and is not prior art. This Article does not suggest the regeneration of the resin within the tank, or separation or the resin by magnetic filtration. Reference to Benedek et al teaches using adsorbents in an immersed membrane system; the regeneration of the material with the tank and the separation by magnetic filtration is not suggested.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ana M Fortuna whose telephone number is (703) 308-3857. The examiner can normally be reached on 9:30-6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda L. Walker can be reached on (703) 308-0457. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



Ana M Fortuna
Primary Examiner
Art Unit 1723

Ana Fortuna
July 25, 2003